

**Table 10. Fiscal Year 2004
Sentence Departures by Type and Direction**

SENTENCE TYPE	SENTENCE RELATIVE TO THE STANDARD RANGE			TOTAL
	ABOVE	BELOW	WITHIN	
Exceptional*	648 54.6%	500 42.2%	38 3.2%	1186 100.0%
SSOSA** (861 Eligible ¹)	0 0.0%	219 98.6%	3 1.4%	222 100.0%
First-time Offender Waiver*** (9268 Eligible ¹)	19 1.2%	831 54.0%	689 44.8%	1539 100.0%
Drug Offender Sentencing Alternative	4 0.3%	1336 94.3%	77 5.4%	1417 100.0%
Standard****	170 0.7%	343 1.5%	23053 97.8%	23566 100.0%
TOTAL	841 3.0%	3229 11.6%	23860 85.4%	27930

*Exceptional sentences include departures above or below the standard range, as well as sentences in which the court orders a term of confinement within the standard range, but under terms of an exceptional sentence adds conditions not allowed as part of the standard range (e.g., treatment).

**Sex offenders who have no prior felony sex convictions may receive a sentence under the Special Sex Offender Sentencing Alternative (SSOSA) if they are not convicted of a serious violent offense with a sexual motivation finding or of Rape 1, Attempted Rape 1, or Rape 2 and have a current offense and criminal history that permits the court to impose a sentence within the standard range of less than eleven years confinement. Under current law, offenders sentenced under this alternative receive a suspended sentence and may receive up to six months in jail, community supervision for three years or the length of the suspended sentence (whichever is greater), inpatient or outpatient sex offender treatment, crime-related prohibitions and requirements for affirmative conduct. If the offender violates the conditions of supervision, the original suspended sentence may be imposed.

***Offenders are eligible for the First-time Offender Waiver if the current offense is not a violent offense, sex offense or certain drug offenses, and if the offender has no prior felony convictions. If the First-time Offender Waiver is used, the standard range is waived and the offender may receive up to 90 days in jail, two years of community supervision, crime-related prohibitions and requirements for affirmative conduct. An aggravated departure occurs when an offender with a 0 to 60-day standard range (a Seriousness Level I offense with an offender score of 0) receives a sentence over 60 days (up to 90 days).

****The Standard Range category includes some sentence departures not resulting from the use of the First-time Offender Waiver, SSOSA or an exceptional sentence. These departures often occur as the result of clerical errors.

¹ This data is not comparable to reports prior to the FY97 report. Prior to FY97, criminal history that had "washed out" was not taken into consideration in determining eligibility.